

STATE OF MAINE

PROBATE COURT
COUNTY OF _____

Location of Court

DOCKET NO. _____

In the Matter of the Adoption Petition of:

(Name of Adoptee)

SURRENDER AND RELEASE
OF CHILD FOR ADOPTION

1. I, _____, am the mother father of
_____, born in _____ on
the _____ day of _____,
My address is: _____
and her his address is _____

2. I am aware that by signing this Surrender and Release, I am voluntarily relinquishing all my parental rights to my child.

3. The name and address of the child placing agency is _____

4. Unless one of the adopting parents is the spouse of the natural parent of the child, check the following if desired: (i.e. step-parent)

I ask the Court to place in the decree of adoption a special entry which will preserve to my child the right to inherit from me and my kin.¹

I understand that if I have checked in the previous sentence, such a special entry will be included in the decree. If I have not checked it, the Court in its discretion will decide whether or not to include such a special entry in the decree.

5. I understand that I have the right to obtain a lawyer's advice before signing this Surrender and Release and that if I want a lawyer and cannot afford one, a lawyer can be appointed by this Court to represent me. I request do not request that this Court appoint a lawyer to represent me in this proceeding.²

6. I understand that this Surrender and Release is final and irrevocable once duly executed.

7. I understand that it is important to keep the Court informed of my current name and address.³
8. I have been advised that the Court may approve my Surrender and Release only if the following conditions are met:⁴
- a. A licensed child placing agency or the department certifies to the Court that counseling was provided or was offered and refused; (This requirement does not apply if one of the petitioners is a blood relative or the adoptee is an adult.)⁵
 - b. The Court has explained my parental rights and responsibilities and the effects of the Surrender and Release; and that I have the right to revoke the Surrender and Release within 3 days and the existence of the adoption registry and the services available under Title 22, Section 2706 – A;⁶ and⁷
 - c. The Court determines that this Surrender and Release has been duly executed and was given freely after I was informed of my rights.
 - d. The Court determines that this Surrender and Release is in the child's best interest.
9. Acknowledging the above, I hereby surrender and release and voluntarily relinquish all my parental rights in and to my child and the custody and control of my child to the Maine Department of Human Services or to _____ a duly licensed child placing agency in the State of Maine, for the purpose of having my child adopted by some suitable person or persons.

Dated: _____

Signature of Surrendering Parent

DUE EXECUTION

Personally appeared before me the above surrendering parent, _____, who, under penalty of perjury, affirmed the truth of the facts in the foregoing Surrender and Release as far as known or informed and freely and with full knowledge of the consequences, executed this Surrender and Release as of the date above written.

Dated: _____

Judge of Probate

WITHDRAWAL OR REVOCATION
(Before Judge or Register of Probate)

I hereby withdraw or revoke this Surrender and Release.

Dated: _____

Signature of Parent

Judge of Probate/Register of Probate

APPROVAL

This matter has been received by the Court and docketed. I find this Surrender and Release to be in the best interest of the child. I hereby approve of this Surrender and Release.

Dated: _____

Judge of Probate

THIS FORM MAY BE USED OUTSIDE OF MAINE. IF SO, ENTER ORDER HERE. SEE 19 MRSA § 1112(8).

¹ 18-A MRSA § 2-109; 19 MRSA §1105

² 19 MRSA § 1106

³ 19 MRSA § 1112(3)

⁴ 19 MRSA § 1112(2)

⁵ 19 MRSA § 1112(2) (A)

⁶ 19 MRSA § 1112(2) (B)

⁷ Although the Court will acknowledge the signature of the surrendering parent on the day it is given, the Court will not consider due execution to be complete until the three day waiting period is over and the Surrender and Release has been docketed. If this Surrender and Release is taken by a Judge outside of Maine, that Judge should not release this Surrender and Release form from Court custody until the three day period for revocation has passed.

Effective October 1, 1997

1 18-MRSA § 2-109; 18-A MRSA § 9-105

2 18-A MRSA § 9-106

3 18-A MRSA § 9-202(C)

4 18-A MRSA § 9-202 (B)

5 18-A MRSA § 9-202(B)(1)

6 18-A MRSA § 9-202(B)(2)

7 Although the Court will acknowledge the signature of the surrendering parent on the day it is given, the Court will not consider due execution to be complete until the three day waiting period is over and the Surrender and Release will be docketed. If this Surrender and Release is taken by a Judge outside of Maine, that Judge should not release this Surrender and Release form from Court custody until the three day period for revocation has passed.

MARP